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10/689,988	10/22/2003	Thomas Hagan	07450002BA	8985

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SUITE 340
RESTON, VA 20190

EXAMINER

NGUYEN, CAO H

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/689,988	Applicant(s) HAGAN ET AL.	
	Examiner Cao (Kevin) Nguyen	Art Unit 2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/22/03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-40 and 51-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8-40 and 51-53 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>10/22/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 8, 15, 22, 29, 36, 40 and 51-52 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 8, 15, 22, 29, 36, 40 and 51-52 are not useful, concrete and tangible result. The preamble of independent claims 8, 15, 22, 29, 36, 40 and 51-52 recite "A method of customizing the browsing experience of a user of a World-Wide-Web (WWW) site comprised of a plurality of Web pages, said method comprising the steps:", which is directed to software, per se, lacking any hardware to enable any functionality to be realized. The claimed features and elements of independent claims 8, 15, 22, 29, 36, 40 and 51-52 do not include hardware components or features that are necessarily implemented in hardware. Therefore, the claimed features of claims 8, 15, 22, 29, 36, 40 and 51-52 are actually a software, or at best, directed to an arrangement of software, and software claimed by itself, without being executed or implemented on a computer medium, is intangible.

To expedite a complete examination of the instant application, the claims rejected under 35U.S.C. 101 (nonstatutory) above are further rejected as set forth below in anticipation of the applicant amending these claims to place them within the four statutory categories of invention.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 8, 15, 22, 29, 36, 40 and 51-52 are rejected under 35 U.S.C. 102(b) as being anticipated by Iliff (US Patent No. 6,206,829).

Regarding claims 8 and 22, Iliff discloses a user interface for a computing device having a system for customizing the browsing experience of a user of a World-Wide-Web (WWW) site comprised of a plurality of Web pages, said system comprising: a Web server [network browser client, see figures 25a-25b], said web server including an index of said WWW site in which each Web page is indexed using at least one coding system [..Using the Internet and its software mechanisms such as HTML, CGI, and Java permits the MDATA system; see col. 71, lines 43-67]; a database containing personal information of said user coded in accordance with said at least one coding system (see col. 71, lines 20-42); means for comparing said coded personal information to said index (see col. 72, lines 18-63); and means for suggesting Web pages having codes which match said coded personal information to said user for browsing (see col. 73, lines 1-31).

Regarding claim 9, Iliff discloses wherein said WWW site is indexed using a plurality of coding systems and wherein said personal information is coded in accordance with each of said coding systems (see col. 13, lines 6-20).

Regarding claim 10, Iliff discloses wherein said WWW site is a healthcare-related WWW site (see col. 3, lines 15-42).

Regarding claims 11 and 18, Iliff discloses wherein said at least one coding system is the ICD-9-CM coding system (see col. 57, lines 17-29).

Regarding claims 12 and 19, Iliff discloses wherein said at least one coding system is the CPT-4 coding system (see col. 25, lines 40-55).

Regarding claims 13 and 20, Iliff discloses wherein said at least one coding system is the NDC coding system (see figures 7a-7c).

Regarding claims 14 and 21, Iliff discloses wherein said at least one coding system is the HCPCS J-code coding system (see col. 24, lines 15-45).

Regarding claim 15, Iliff discloses a method of customizing the browsing experience of a user of a World-Wide-Web (WWW) site comprised of a plurality of Web pages, said method comprising the steps providing an index of said WWW site in which each Web page is indexed using at least one coding system (see col. 21, lines 1-30); providing a tracking database containing said user's browsing history on said WWW site, said tracking database being coded in accordance with said at least one coding system; comparing the coded browsing history of said user to said index (see col. 21, lines 39-59); and suggesting Web pages having codes which match said coded browsing history to said user for browsing (see col. 14, lines 9-35).

Regarding claim 16, Iliff discloses wherein said WWW site is indexed using a plurality of coding systems and wherein said tracking database is coded in accordance with each of said coding systems (see figures 7a-7c).

Regarding claim 17, Iliff discloses wherein said WWW site is a healthcare- related WWW site (see col. 70, lines 32-54).

As claims 23-28 and 30-35 are analyzed as previously discussed with respected to claims 10-14 above.

Regarding claim 29, Iliff discloses providing an index of said WWW site in which each Web page is indexed using at least one coding system; providing a user database containing the personal information of each user of said Web site coded in accordance with said at least one coding system; providing a tracking database containing the browsing history of each user of said Website (see col. 71, lines 20-67); for a browsing user, determining from said user database other users having coded personal information similar to said browsing user; determining from said tracking database the Web pages visited by said other users; and suggesting said Web pages to said browsing user for browsing (see col. 76, lines 34-44).

Regarding claim 36, Iliff discloses a method of searching a World-Wide-Web (WWW) site comprised of a plurality of Web pages, said WWW site including an index in which said Web pages are indexed in accordance with at least one coding system and a table of keywords indexed in accordance with said at least one coding system, said method comprising the steps: receiving a search query comprised of at least one keyword (see col. 16, lines 1-57); determining codes relating to said at least one keyword by comparing said keywords to said table of keywords; expanding said search by modifying said query to include said related codes; searching said site using said modified query; and providing said user with search results (see col. 34, lines 15-52).

Regarding claim 37, Iliff discloses wherein said WWW site further includes a table of related codes, said method including the additional step of further expanding said search by further modifying said query to include additional codes obtained from said table of related codes which relate to the codes obtained from the table of keywords (see figures 25a-25b).

Regarding claim 38, Iliff discloses wherein said WWW site further includes a user database containing personal information of the users of the WWW site indexed in accordance with said at least one coding system, said method including the additional step of further expanding said search by modifying said query to include codes obtained from said user database for the user conducting the search (see figures 5a-6).

Regarding claim 39, Iliff discloses wherein said WWW site further includes a tracking database containing the navigation history of the users of the WWW site indexed in accordance with said at least one coding system, said method including the additional step of further expanding said search by modifying said query to include codes obtained from tracking database for users having similar coded personal information to said searching user as determined from said user database (see col. 21, lines 10-67).

Regarding claim 40, Iliff discloses providing an index of said WWW site in which each Web page is indexed using at least one coding system; providing a user database containing personal information of said users coded in accordance with said at least one coding system; grouping said users into groups having similar coded personal information (see figures 24-27); providing a tracking database containing the browsing history of each user of said WWW site coded in accordance with said at least one coding system; and suggesting to said user Web pages browsed by other members of the user's group determined from said tracking database (see col. 77, lines 34-67).

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Regarding claim 51, Iliff discloses a method of transferring personal information of a plurality of users from a first database in which said personal information is identifiable with particular users to a second database in which said personal information is de-identified, said method comprising the steps uploading to said second database de-identified personal information of said users from said first database; uploading to said second database from a third database anonymous IDs for each of said users; and indexing said de-identified personal information of said users in said second database by anonymous ID (see col. 35, lines 4-61).

Regarding claim 52, Iliff discloses verifying the true identity of said anonymous user on a registration authority server; creating said web ID on said web server; and creating said password on a certificate authority server; whereby the only party which knows the true identity, web ID and password of the user is the user (see col. 69, lines 15-61).

Regarding claim 52, Iliff discloses wherein on subsequent log ins to the WWW site by said user said password is authenticated by said certificate authority server and said Web ID is authenticated by said Web server (see col. 74, lines 38-65).

Conclusion

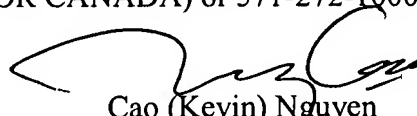
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (see PTO-892).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cao (Kevin) Nguyen whose telephone number is (571)272-4053. The examiner can normally be reached on 8:30AM-5:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571)272-4048. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Cao (Kevin) Nguyen
Primary Examiner
Art Unit 2173

06/14/07